

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:23-CR-00542
)	
Plaintiff,)	JUDGE CHARLES E. FLEMING
)	
vs.)	MAGISTRATE JUDGE JENNIFER
)	DOWDELL ARMSTRONG
JONATHAN THOMAS WEHMAN,)	
)	ORDER ACCEPTING/ENTERING
Defendant.)	PLEA OF GUILTY AND REFERRING
)	THE MATTER FOR PREPARATION
)	OF A PRESENTENCE REPORT

Before the Court is the Report and Recommendation (“R&R”) filed by United States Magistrate Judge James E. Grimes, Jr., recommending that the Court accept Defendant’s guilty plea and enter a finding of guilty. (ECF No. 8). This matter was previously referred to the Magistrate Judge to accept Defendant’s plea of guilty, conduct the colloquy prescribed by Fed. R. Crim. P. 11, cause a verbatim record of the proceedings to be prepared, refer the matter for preparation of a presentence report, and submit an R&R stating whether the plea should be accepted and a finding of guilty entered. (ECF No. 5).

On September 27, 2023, the government filed a two count Information alleging that Defendant knowingly devised, and intended to devise, a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, as well as prevent the alleged victim from obtaining the return of those funds, through theft and by concealing and misrepresenting material facts in violation of Title 18 U.S.C. § 1343. (ECF No. 1). Defendant waived his right to prosecution by indictment and consented to prosecution by information on November 8, 2023. (ECF No. 4).

On November 8, 2023, Magistrate Judge Grimes held an arraignment and plea hearing,

during which the Defendant entered a plea of guilty to the Information. On November 9, 2023, Magistrate Judge Grimes issued an R&R recommending that the Court accept Defendant's guilty plea and enter a finding of guilty. (ECF No. 8). Any objections to the R&R were due on November 27, 2023. (*Id.*). Neither party has objected to the R&R.

On review of the record, including the written transcript of the November 8, 2023 hearing (ECF No. 9), the Court adopts the R&R. Defendant is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a guilty plea. He is also aware of the trial rights he waives/gives up by pleading guilty. There is an adequate factual basis for the plea. Defendant denied being threatened into entering the plea and confirmed that no promises have been made to him, other than those contained in the plea agreement. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea is accepted.

Therefore, Defendant is adjudged **GUILTY** of Counts One and Two of the Information, in violation of Title 18 U.S.C. § 1343. This matter is hereby referred to the U.S. Probation Office for the preparation of a presentence report. Sentencing is set for February 14, 2024 at 10:00 AM.

IT IS SO ORDERED.

Date: December 13, 2023



CHARLES E. FLEMING
UNITED STATES DISTRICT JUDGE